

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :

- v. - :

MAULABAKSH GORGEECH, :
a/k/a "Maula Baksh," :

and :

NIAMATULLAH GORGEECH, :
a/k/a "Naimatullah," :
a/k/a "Son of Hakeem Jamal Khan," :

Defendants. :
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**STIPULATED
PROTECTIVE ORDER**

21 Cr. 559 (SHS)

SIDNEY H. STEIN, District Judge:

Upon the application of the United States of America, with the consent of the undersigned counsel, Steve Zissou, Esq. and Chris Renfro, Esq., the Court hereby finds and orders as follows:

1. The Government will make disclosure to the defendants of documents, objects and information, including electronically stored information ("ESI"), pursuant to Federal Rule of Criminal Procedure 16, 18 U.S.C. §3500, and the Government's general obligation to produce exculpatory and impeachment material in criminal cases, all of which will be referred to herein as "disclosure material." The Government's disclosure material may include material that (i) affects the privacy, confidentiality, and safety of individuals; (ii) would impede, if prematurely disclosed, the Government's ongoing investigation of uncharged individuals; (iii) would risk prejudicial pretrial publicity if publicly disseminated; and (iv) is not authorized to be disclosed to the public or disclosed beyond that which is necessary for the defense of this criminal case.

NOW, THEREFORE, FOR GOOD CAUSE SHOWN, IT IS HEREBY ORDERED:

2. Disclosure material shall not be disclosed by the defendants or their respective defense counsel, including any successor counsel (“the defense”) other than as set forth herein, and shall be used by the defense solely for purposes of defending this action. The defense shall not post any disclosure material on any Internet site or network site to which persons other than the parties hereto have access, and shall not disclose any disclosure material to the media or any third party except as set forth below. The disclosure materials provided by the Government to defense counsel shall not be further disseminated by the defendants or their counsel to any individuals, organizations or other entities, other than members of the defense team (limited to: counsel of record; paralegals, investigators, translators, litigation support personnel, or secretarial staff assisting counsel of record; and the defendant).

3. Disclosure material or its contents may not be provided to any foreign persons or entities (except if such persons or entities are members of the defense team) and may not be transmitted outside of the United States for any purpose.

4. Each of the individuals to whom disclosure of the disclosure material is made shall be provided a copy of this Protective Order by defense counsel and will be advised by defense counsel that he or she shall not further disseminate or discuss the materials and must follow the terms of this Protective Order.

5. The Government may authorize, in writing, the provision of disclosure material beyond that otherwise permitted by this Order without further Order of this Court.

6. Defense counsel may seek authorization of the Court, with notice to the Government, to provide certain specified discovery materials to persons whose access to discovery materials is otherwise prohibited by the preceding paragraphs, if it is determined by

the Court that such access is necessary for the purpose of preparing the defense of the case.

7. All disclosure material is to be provided to the defendants, and used by the defense teams, solely for the purpose of allowing the defendants to prepare their defenses to the charges in the indictment, and that none of the discovery materials produced by the Government to the defendants shall be disseminated to any other third party in a manner that is inconsistent with the preceding paragraphs.

8. Upon consent of all counsel, the Government is authorized to disclose to counsel for both defendants, for use solely as permitted herein, the entirety of ESI seized from each of the defendants, including but not limited to, the complete contents of cellphones seized from the defendants ("the seized ESI disclosure material"). The defendants, defense counsel, and personnel for whose conduct counsel is responsible, i.e., personnel employed by or retained by counsel, may review the seized ESI disclosure material to identify items pertinent to the defense. They shall not further disseminate or disclose any portion of the seized ESI disclosure material except as otherwise set forth under this Order.

9. At the conclusion of this case, defense counsel shall return to the Government all copies of the discovery materials provided in this case.

10. Nothing in this Order prohibits the media from requesting copies of any items that are received by the Court as public exhibits at a hearing, trial, or other proceeding.

11. Nothing in this Order shall preclude the Government from seeking a further protective order pursuant to Rule 16(d) as to particular items of discovery material.

12. The Court retains discretion whether to afford protected treatment to any protected document or information contained in any protected document submitted to the Court in connection with any motion, application, or proceeding that may result in an order and/or

decision by the Court.

AGREED AND CONSENTED TO:

by:

Kimberly J. Ravener
Benjamin Woodside Schrier
Assistant United States Attorneys

Date

Steve Zissou Digitally signed by Steve Zissou
Date: 2021.11.24 09:50:14
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11/24/2021

Steve Zissou, Esq.
Counsel for MAULABAKSH GORGEECH

Date

Chris Renfroe, Esq.
Counsel for NIAMATULLAH GORGEECH

Date

SO ORDERED:

HON. SIDNEY H. STEIN
UNITED STATES DISTRICT JUDGE

Date


AGREED AND CONSENTED TO:

12/2/2021
Date

Date _____

Date 11/27/2021

SO ORDERED:



HON. SIDNEY H. STEIN
UNITED STATES DISTRICT JUDGE

12/3/2021
Date